REMARKS

This amendment is in response to the Examiner's Office Action dated 12/2/2003.

Applicant is appreciative for the profession and courteous telephone interview held with

Examiner Susanna M. Diaz on 2/10/2004. Reconsideration of this application is respectfully

requested in view of the foregoing amendment and the remarks that follow.

STATUS OF CLAIMS

Claims 23-39 are pending.

Claims 32-38 stand rejected under 35 U.S.C. § 101 because the claimed invention is

directed to non-statutory subject matter.

Claims 23-39 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite

for failing to point out and distinctly claim the subject matter which applicant regards as the

invention.

Claims 23-28, 30-36, and 38-39 stand rejected under 35 U.S.C. § 102(e) as being

anticipated by Barnett et al. (USP 6,369,840).

Claims 29 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over

Barnett et al. (USP 6,369,840), as applied to claims 28 and 32.

OVERVIEW OF CLAIMED INVENTION

The presently claimed invention integrates both the time scheduling capabilities of a

calendar system and the efficient matching functions of pairing services into one application that

is powerful for many users, organizations and types of services. By integrating a calendar system

with a matching service, the capabilities of the calendaring system will not only match an entity's

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similar interests or needs, but also provide a matching of activities according to time. This not only allows an entity to locate other entities who would be interested in a particular activity, but also allows an entity to locate other entities who can participate in the activity at particular times. Another advantage of the present invention is that it is of greater convenience to the entity to create a calendar event, rather than filling out, for instance, a separate application in which an entity does not remain anonymous. By easing the process of requesting a match operation, entries into the system are more readily made. Applications of this method include personal matching (such as a dating service), extracurricular activities, commerce-based activities, and job positions and/or qualifications.

An application data sheet containing the information missing from the executed declaration is provided herein as directed by the examiner.

As addressed above, the specification has been corrected to remove the embedded hyperlink.

In the Claims

The claims have been renumbered in accordance with 37 CFR 1.126 such that the claims are numbered consecutively.

Claims 32-38 have been amended to be within 35 U.S.C. § 101 and apply, involve, use or advance the technological arts. The amendment of claim 32 further clarifies claims 35 and 36.

In accordance with 35 U.S.C. § 112, claims 23-39 are consistent with the use of terminology in relation to the specification and have been amended to point out and distinctly claim the subject matter of the present invention. Further, the antecedent basis of the claims has been corrected to correctly and clearly identify the claimed subject matter. The antecedent basis

for claim 25 has been corrected. Claim 29 has been amended to correctly identify the antecedent

terms. The claims have been renumbered to correctly identify dependency of the claims.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 23-28, 30-36, and 38-39 stand rejected under 35 U.S.C. § 102(e) as being

anticipated by Barnett et al. (USP 6,369,840).

Barnett discloses a computer-implemented method and apparatus for generating and

displaying a calendar containing user-selected events from user-selected categories. The user

selects which categories are of interest from an event directory and is then directed to choose a

particular event to view details for the selected event. A user may then add the individual event

to his/her personal calendar or subscribe to the event category to receive updates of newly added

events. If a user subscribes to an event category, events are extracted and sent to the user for the

subscribed event category as they are updated. In one embodiment, an individual user may

provide user-defined categories to create a group calendar, allowing the user to share the events

that the user has scheduled with other users, so that they can choose to subscribe to the group

calendar as an event category.

Barnett fails to disclose or anticipate an electronic calendaring system that uses a match

server comprising a match engine that automatically performs a search to match the events of

two entities during a specific period of time and having specific criteria, requirements, and

attributes. The present invention's goal is to integrate the time scheduling of a calendar system

with matching functions of a pairing service, therefore allowing a user not only to be presented

with a match of similar interests or needs, but also to allow a user to locate other entities or

parties who can participate in the match interest or need at a particular time. As noted by the

examiner, Barnett requires that a user search the event repository by selecting categories, dates,

and times of interest. Events that are in the specified category (chosen by the user) and that are scheduled to occur during the dates/times of interest are then presented to the user so that he/she can add the event to his/her calendar. The present invention, however, uses a match engine to search the event repository and locate a match. Further, the user defines the specific date, time, etc. for when an activity is to occur as well as the criteria, etc. for the event. The search engine finds matching entities for the event. The match is then presented to the user, identifying entities who would also be interested in a particular activity at a particular time.

Barnett further fails to disclose when an event is to occur (the period of time of an event) as a part of the search criteria. In the present invention, the period of time when an activity or event is to occur is an identifying search criterion. That is, the user specifies a date, time, or time period, for example, for which an activity or similar search request is to take place in order to locate a match. The process disclosed in Barnett, however, uses the time or period ("when") only as a secondary consideration after the user is presented with the events located in the user-defined category matching process. Barnett only allows a user to view the predetermined times that an event is to occur, rather than allow the user to specify the time period of the event. Since the presently claimed invention identifies the scheduling of an event (period of time) to be a criterion for the matching process, Barnett does not anticipate the present invention.

Further, because Barnett fails to provide or anticipate each and every element in claim 23, dependent claims 24-31 are not anticipated by Barnett as they inherit the limitations of the independent claim.

The elements presented in claims 32-36, 38, and 39 are also not anticipated for the same reasons identified above. Although Barnett may teach the deletion of an event from a user's schedule, Barnett does not register, store, notify, search, or update a user's electronic calendar as identified in the present invention, and therefore is not described or anticipated.

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REJECTIONS UNDER 35 U.S.C. § 103

Claims 29 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Barnett et al. (USP 6,369,840), as applied to claims 28 and 32.

The examiner states that Barnett discloses the display of various available events during a given time period from which the user can select. The examiner notes, however, that Barnett does not expressly teach that a type of commerce activity is offered at various times which each offer the activity at variable prices or rates. The present invention requires that a match engine use the period of time as well as criteria, requirements, and attributes to find a matching entity which would like to participate in a particular activity as defined by the user. The example as provided by the examiner from Barnett in which the user has an opportunity to purchase tickets to an event online from a category describes the user choosing from a plurality of predefined events (i.e., events that are not defined by the user). Therefore, it would not have been obvious to one of ordinary skill to allow for the multiplicity of times for a commerce activity as claimed in claim 29 of the present invention.

The examiner also states that Barnett does not expressly teach the step of removing matched calendar events from the event repository when a fully satisfied event occurs. The present invention identifies matching entities until a particular amount is satisfied. For example, if the running club is looking for 20 runners, the system will continue to find entities that match the time and relations of the event as identified by a user or entity until the 20 places are taken. The examiner uses the example of a limited number of tickets for a concert as a method of illustrating the method of selling until all of the tickets are sold. However, there is no matching engine that is designed to pair entities and automatically provide the matched event to the calendar system of the entities. Further, there is no system or method of removing satisfied matched calendar events mentioned in Barnett. Therefore, it would not have been obvious to

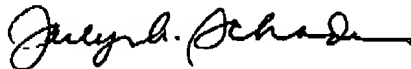modify Barnett to perform the step of removing matched calendar events from the event repository as in claim 37.

SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicant's presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this amendment has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 09-0441.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicant's representative at the below number.

Respectfully submitted,

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March 1, 2004